

Judge dismisses Osborne's lawsuit

BY ROBERT WANG

Repository staff writer

NORTH CANTON A judge has dismissed former Councilman Chuck Osborne's lawsuit against the city that claimed council illegally invoked the emergency clause in July raising council salaries.

Stark County Common Pleas Judge John Haas' opinion cited rulings by the Ohio Supreme Court that say if a city provides a specific enough reason for why it's passing legislation as an

emergency, it's not up to a court to review whether it really is an emergency.

Haas found that council's "reasoning for the emergency is stated with sufficient detail."

Council President Jon Snyder, Ward 4, said council passed the raises costing \$19,200 a year for members and the mayor as an emergency so they could go into effect Monday, with the start of a new term of council. But the charter requires that raises for a subse-

quent term be approved 30 days before the filing deadline for council candidates, which was in early August.

Legislation with an emergency clause takes effect immediately and is not subject to being placed on the ballot with the collection of petition signatures. Regular legislation has to go through three votes, usually over a six week period, and then on approval doesn't go into effect for 30 days.

Osborne filed his suit in

August. He claimed council passed the raises as an emergency to avoid a referendum.

"The system really isn't working at all anymore ... as long as they're going to use (the emergency clause), the abuses of that are going to continue," Osborne said.

Osborne said he would have to decide whether he would appeal the ruling to the 5th District Court of Appeals.

Reach Robert at 330-580-8327 or robert.wang@cantonrep.com.

On Twitter: @rwangREP